

AMENDMENTS TO THE CLAIMS:

1. (currently amended) A method of compensating at least one rights holder artist responsible for content of a digital audio recording file for the public performance of the content, the content being included in a public broadcast, the method comprising the steps of:

~~associating embedding~~ an identification ~~code within~~ with the digital audio recording file to produce an identified encoded digital audio recording file;

generating an identification record correlating ~~to~~ the identification ~~code~~ and the digital audio recording file;

broadcasting the identified encoded digital audio recording file as an audio signal in the public broadcast, the public broadcast being made by one of a radio, television, cable, satellite network and internet website, the public broadcast being remotely receivable simultaneously by a plurality of ~~users constituting~~ audience members of the public receiving the audio signal being ~~publically~~ publicly broadcast;

~~detecting the public receiving by a user member of the audience the audio signal being~~ publicly broadcast similarly to an audience member feeding;

feeding by said user ~~detected~~ the ~~cross-phased~~ audio signal into monitoring means for detecting ~~monitoring~~ the identification ~~code~~;

storing and correlating by said user the identification ~~code~~ and data related to the public broadcast and unrelated to the number of users constituting the audience members of the public, based on the identification ~~code~~ record as a batch file;

~~decoding and~~ importing the batch file into a first database that catalogs public performance, based upon the incidence of the public broadcast and unrelated to the number of actual audience users ~~and broadcast~~ of the audio signal, and

using the first database to compensate the at least one rights holder artist.

2. (currently amended) The method of claim 1, wherein the identification ~~is eede~~ embedded in the audio signal is as a digital watermark.
3. (currently amended) The method of claim 1, wherein the step of associating an ~~embedding the identification eede~~ is performed by encoding software.
4. (currently amended) The method of claim 1, wherein the identification ~~eede~~ is in the form of a non-audible digital signal that is not rendered inoperable by one or more generations of analog taping and broadcast compressions.
5. (currently amended) The method of claim 1, further comprising the steps of searching a second digital work library database to match the associated ~~embedded~~ identification ~~eede~~ with the title of a digital audio work and its associated file information, and importing the title and associated file information from the second digital work library database into the first database.
6. (currently amended) The method of claim 5, further comprising the step of using the associated ~~embedded~~ identification ~~eede~~ to match the digital audio work's title to the recorded and stored transmission or broadcast related data and printing a digital audio work usage report having both the title of the digital audio work and the transmission and broadcast related data.

7. (previously presented) The method of claim 1, wherein the digital audio recording file further comprises video or multimedia.

8. (previously presented) The method of claim 1, wherein the first database is represented in the form of cue sheets.

9. (currently amended) A method of compensating at least one rights holder ~~artist~~ responsible for content of a digital audio recording for the public performance of the content, the method comprising the steps of:

receiving the ~~publically~~ publicly broadcast audio recording in a public broadcast as an audio signal, the broadcast being made by one of a radio, television, cable, and satellite network and internet website, the broadcast being remotely receivable simultaneously by a plurality of audience members; said receiving being done by a user ~~as a member~~ of the audience;

feeding by said user the audio signal into a monitoring means to make an identification of the audio recording;

storing and associating by said user the identification and data related to the broadcast based on an identification ~~code~~ record as a batch file;

~~decoding and importing~~ by said user the batch file into a first database that catalogs the broadcast and the data related to the broadcast of the audio signal; and

using by said user the first database to prepare cue sheets containing the data related to the use by the incidence of the broadcast and unrelated to the extent of use of the receiving audience, to compensate the at least one rights holder ~~artist~~.

10. (currently amended) The method of claim 9, further comprising the steps of searching a second audio work library database to match the identification ~~code~~ with the title of an audio work and its associated file information, and importing the title and associated file information from the second audio work library database into the first database.

11. (currently amended) The method of claim 10, further comprising the step of using the identification ~~code~~ to match the audio work's title to the recorded and stored broadcast related data and printing an audio work usage report having both the title of the digital audio work and the broadcast related data.